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January 14, 2005

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2<sup>nd</sup> Floor
Boston, Massachusetts 02110

Re:

D.T.E. 03-118, Cambridge Electric Light Company and Commonwealth Electric Company – 2003 Reconciliation Filing

D.T.E. 04-114, Cambridge Electric Light Company and Commonwealth Electric Company – 2004 Reconciliation Filing

#### Dear Secretary Cottrell:

Enclosed for filing is the Joint Motion of Cambridge Electric Light Company, Commonwealth Electric Company and the Attorney General to Consolidate Proceedings in the above-referenced cases. Also enclosed is a Certificate of Service.

Thank you for your attention to this matter.

Sincerely,

Robert N. Werlin

#### **Enclosures**

cc: Caroline Bulger, Hearing Officer

Shaela Collins, Hearing Officer

Service List, D.T.E. 03-118/D.T.E. 04-114

#### **COMMONWEALTH OF MASSACHUSETTS**

#### DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Cambridge Electric Light Company	)	D.T.E. 03-118/D.T.E. 04-114
Commonwealth Electric Company	) )	

#### **CERTIFICATE OF SERVICE**

I certify that I have this day served the foregoing document upon the Department of Telecommunications and parties of record in accordance with the requirements of 220 C.M.R. 1.05 (Department's Rules of Practice and Procedures).

Robert N. Werlin, Esq.

Keegan, Werlin & Pabian, LLP

265 Franklin Street

Boston, Massachusetts 02110

(617) 951-1400

Dated: January 14, 2005

# COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

	)	
Cambridge Electric Light Company	)	D.T.E. 03-118/D.T.E. 04-114
Commonwealth Electric Company	)	
	)	

### JOINT MOTION OF CAMBRIDGE ELECTRIC LIGHT COMPANY, COMMONWEALTH ELECTRIC COMPANY THE ATTORNEY GENERAL TO CONSOLIDATE PROCEEDINGS

Cambridge Electric Light Company and Commonwealth Electric Company d/b/a NSTAR Electric ("NSTAR Electric" or the "Companies") and the Attorney General (collectively, the "Parties") jointly request that the Department of Telecommunications and Energy (the "Department") consolidate its review of the annual reconciliation filings made by the Companies in the above-referenced proceedings and defer evidentiary hearings in D.T.E. 03-118. In support of this motion, the Parties state as follows.

On November 12, 2004, the Parties requested that the Department defer evidentiary hearings in D.T.E. 03-118 in order to complete settlement negotiations and requested that evidentiary hearings be deferred until January 19, 2005, in the event that a settlement agreement was not filed. Unfortunately, despite good-faith efforts by the Parties to finalize a settlement, staffing changes, ongoing cases and personnel unavailability have made it impossible to achieve settlement on all issues. Although much progress has been achieved, additional time will be needed to attempt to resolve all issues in that proceeding. In addition, the Companies have since filed their annual reconciliation for 2004, which has been docketed as D.T.E. 04-114. The Companies intend to file final numbers for 2004 in February, at which time it will possible to engage in settlement negotiations for that case.

Because any adjustments that would be made to the 2003 reconciliation would be carried forward to 2004 and the issues that would be subject to review are similar in nature, it would be appropriate and administratively efficient to attempt to resolve issues for both years as soon as 2004 data are finalized. Accordingly, the Parties request that the two proceedings be consolidated for hearing purposes and that they be given sufficient time to conduct settlement negotiations on a consolidated basis. After the filing of final 2004 data, the Parties will engage in settlement discussions, including the issuance of settlement discovery, the negotiation of issues and the exchange of proposals. Assuming that the filing is made in February 2005, the Parties request that they be granted until April 29, 2005 to file a settlement. If no settlement can be filed, the Parties will file a status report on that date.

**WHEREFORE**, for the reasons set forth herein, the Parties respectfully request that the Department consolidate the proceedings in D.T.E. 03-118 and D.T.E. 04-114, permit the Parties to engage in settlement negotiations for the consolidated cases as described above and defer evidentiary hearings in D.T.E. 03-118.

## Respectfully submitted,

# ATTORNEY GENERAL OF MASSACHUSETTS

By his attorneys,

Joseph Rogers
Colleen McConnell
Assistant Attorneys General
Regulated Industries Division
One Ashburton Place

Date: January 14, 2005

Boston, MA 02108

CAMBRIDGE ELECTRIC LIGHT COMPANY COMMONWEALTH ELECTRIC COMPANY

By their attorney,

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